

of intensified royal prerogative when the test would have been similarly applied, but, to the credit of the English bench, few of the Judges who have succeeded Coke would have been less true to duty. Lord Chelmsford's firm refusal, at a much later time, to submit to interference at the hands of Disraeli with his judicial appointments, is but one of a number of instances shewing that Coke's spirit has ever since been alive in England.

Sir Matthew Hale, that modest, virtuous man, who gravely warned his grandchildren against the evil influence of "pledging healths," is in many respects the antithesis of Coke, the grim, militant lawyer, who, with all his merits, neither possessed nor cultivated those gentler virtues for which Hale was so conspicuous. But they stand on common ground in the high conception of a Judge's duty that both held and exemplified. Hale's views were expressed in a series of rules for judicial conduct which he composed and closely followed. They embody the essentials of strict uprightness, industry, independence, self-restraint, and that rarer quality of the open mind, which, in his words, is to be not "prepossessed with any judgment at all, till the whole business and both parties be heard." He has given an example to both Judges and lawyers in the practice that he observed of speaking "in few words and home to the point." No purer character is to be found in England's judicial annals, and perhaps none have been more learned and enlightened. His virtues stirred the heart of the Puritan Richard Baxter to write of him in words of unmeasured praise, in part as follows:—

"Sir Matthew Hale, that unwearied student, that prudent man, that solid philosopher, that famous lawyer, that pillar and basis of justice—(who would not have done an unjust act for any worldly price or motive)— . . . that pattern of honest plainness and humility, who, while he fled from the honors that pursued him, was yet Lord Chief Justice of the King's Bench, after his long being Lord Chief Baron of the Exchequer; living and dying, entering on, using, and voluntarily surrounding his place of judicature with the most universal love, and honour, and praise, that ever did English subject in this age, or any that just history doth record."